

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1214

Introduced by Assembly Member Skinner

February 18, 2011

An act *to add Section 1103 to the Public Utilities Code*, relating to electricity.

LEGISLATIVE COUNSEL'S DIGEST

AB 1214, as amended, Skinner. Electrical transmission.

Under existing law, the Public Utilities Commission (*CPUC*) has regulatory authority over public utilities, including electrical corporations, as defined. The Public Utilities Act prohibits any electrical corporation from beginning the construction of, among other things, a line, plant, or system, or of any extension thereof, without having first obtained from the CPUC a certificate that the present or future public convenience and necessity require or will require that construction (certificate of public convenience and necessity).

~~This bill would state the intent of the Legislature to enact legislation that would eliminate redundant needs determinations for electrical transmission investments and that would enable a single certificate of public convenience and necessity proceeding to address federally approved electrical transmission plans, when the Independent System Operator (ISO) determines that building or upgrading of electrical transmission is necessary and that determination has been approved by the Federal Energy Regulatory Commission, require the commission to find that the construction or extension is necessary for the present or future public convenience and necessity absent a showing of good cause based upon newly developed information that was not available~~

at the time of the determination by the ISO. The bill would require that a transmission project sponsor be given the option of filing a single application for a certificate of public convenience and necessity with respect to a transmission plan or generator interconnection agreement that has multiple stages if the project is for the purpose of achieving the renewables portfolio standard, as specified.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. It is the intent of the Legislature to enact~~
2 ~~legislation to do both of the following:~~
3 ~~(a) Eliminate redundant needs determinations for electrical~~
4 ~~transmission investments. It is the intent of the Legislature that~~
5 ~~when~~
6 SECTION 1. Section 1103 is added to the Public Utilities Code,
7 to read:
8 1103. (a) When the Independent-Systems System Operator
9 (ISO) has determined that the building or upgrading of electrical
10 transmission is necessary, and that determination has been
11 approved by the Federal Energy Regulatory Commission (FERC),
12 ~~that absent a showing of good cause based upon newly developed~~
13 ~~information that was not available at the time of the determination~~
14 ~~by the ISO, the Public Utilities Commission~~ *commission* shall find
15 that the construction or extension is necessary for the present or
16 future public convenience and necessity pursuant to ~~Chapter 5~~
17 ~~(commencing with Section 1001) of Part 1 of Division 1 of the~~
18 ~~Public Utilities Code. It is the further intent of the Legislature that~~
19 ~~the Public Utilities Commission shall this chapter. The commission~~
20 *shall* find that the construction or extension is necessary for
21 purposes of Section 399.2.5 ~~of the Public Utilities Code~~ if the
22 commission finds that the construction or extension is for the
23 purpose of achieving the renewables portfolio standard established
24 pursuant to Article 16 (commencing with Section 399.11) of
25 ~~Chapter 2.3 of Part 1 of Division 1 of~~, or adopted by a local
26 publicly owned electric utility pursuant to Section 387 ~~of, the~~
27 ~~Public Utilities Code.~~

1 ~~(b) To enable a single certificate of public convenience and~~
2 ~~necessity proceeding to address federally approved electrical~~
3 ~~transmission plans. It is the intent of the Legislature that with~~
4 (b) *With* respect to a transmission plan or generator
5 interconnection agreement that is for the purpose of achieving the
6 renewables portfolio standard, that has multiple stages, and that
7 been approved by the FERC, a project sponsor shall have the option
8 of filing a single application for a certificate of public convenience
9 and necessity.

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